

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CR. NO. 22-20504

v.

HON. PAUL D. BORMAN

AWS MOHAMMED NASER,

Defendant.

/

MOTION TO WITHDRAW IADA WAIVER

NOW COMES defendant Aws Naser, by his attorneys James Gerometta and Amanda Bashi, and requests to withdraw the previously signed waiver of rights under the Interstate Agreement on Detainers Act (IADA). (ECF No. 13.) In support of his motion, Mr. Naser provides as follows:

1. The government indicted Aws Naser on October 5, 2022. (ECF No. 1.) Mr. Naser was brought to duty court for his initial appearance and arraignment on the indictment on November 15, 2022. At that time, Mr. Naser was in the custody of the Michigan Department of Corrections (MDOC).
2. As an MDOC prisoner, Mr. Naser had the option to be returned to MDOC custody or to remain in federal custody pending the instant case. *See* IADA, 18 U.S.C. App. §2 Art. IV(e). For prisoners who wish to be returned to MDOC

custody, they must execute a Notice of Waiver of Rights Under the IADA (“IADA Waiver”).

3. At that November 15 appearance, Mr. Naser signed an IADA Waiver. (ECF No. 13.)
4. Mr. Naser believes he was given incorrect information regarding the waiver and its significance. Additionally, he believes it will aid his defense in this case to remain in federal custody, so that he can access and review discovery with his defense counsel. As such, he makes this request to withdraw the previously entered IADA Waiver.

Respectfully submitted,

FEDERAL COMMUNITY DEFENDER

s/ *Amanda Bashi*
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Dated: January 4, 2023

CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2023, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the parties of record.

Signed,

s/Amanda N. Bashi

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Dated: January 4, 2023